IN THE HIGH COURT OF UTTARANCHAL, AT NAINITAL

Criminal Revision No. 225/2001
(Old No. 823 of 1988)
AND
Criminal Revision No. 226/2001

Kunj Behari Lakhera ……Revisionist

Vs.

State of Uttar Pradesh and other …….Respondents

Hon'ble Irshad Hussain, J.

None appear for the revisionist. Heard Sri L. M. Verma leaned A.G.A. and perused the record.

Both these revisions were preferred under Section 401 of the Code of Criminal Procedure (for short 'Code') against the judgment dated 29.4.1988 passed by the Munsif Magistrate, Lansdowne, Pauri Garhwal in criminal cases no.187/1984 and no. 187-A/1984 under Section 409 IPC, Patwari Circle, Talli Badalpur-4, District Pauri Garhwal. IN these criminal cases, the allegations against the accused was that he had committed criminal breach of trust in respect of the Government property.

Perusal of the impugned judgment reveal that the learned Magistrate had appraised the entire evidence of the prosecution and came to the conclusion that the charges against the accused were not proved beyond reasonable doubt. The judgment of acquittal of the respondent-accused is based on fair appreciation of the evidence and, therefore, there being no merit in these revisions, these are dismissed.

(Irshad Hussain, J.)

Dated 02.04.2004

Rawat